## OPINION 745

### *COLUBER SUBOCULARIS* BROWN, 1901 (REPTILIA): VALIDATED UNDER THE PLENARY POWERS

**RULING.**—(1) Under the plenary powers it is hereby Ruled that the specific name *subocularis* Brown, 1901, as published in the binomen *Coluber subocularis*, is not invalidated by its senior secondary homonym *Bascanion suboculare* Cope, 1866.

(2) The specific name *subocularis* Brown, 1901, as published in the binomen *Coluber subocularis*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2093.

(3) The specific name *sclerotica* Smith, 1941, as published in the binomen *Elaphe sclerotica* (a junior objective synonym of *subocularis*, *Coluber*, Brown, 1901) is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 828.

### HISTORY OF THE CASE (Z.N.(S.) 1534)

The present case was submitted to the office of the Commission by Professor Hobart M. Smith in May 1962. Professor Smith's application was sent to the printer on 27 July 1962 and was published on 26 April 1963 in *Bull. zool. Nomencl.* **20** : 231. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to two herpetological serials. No comment was received.

### DECISION OF THE COMMISSION

On 12 February 1965 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (65)5 either for or against the proposals set out in *Bull. zool. Nomencl.* **20** : 231. At the close of the prescribed period on 12 May 1965 the state of the voting was as follows:

Affirmative votes—twenty (20), received in the following order: China, Lemche, Mayr, Binder, Vokes, Stoll, Obruchev, Simpson, Alvarado, Tortonese, Uchida, Jaczewski, do Amaral, Forest, Miller, Mertens, Ride, Kraus, Brinck, Sabrosky.

Negative votes—two (2): Riley, Holthuis.

Voting Papers not returned—four (4): Bonnet, Borchsenius, Evans, Hubbs.

Commissioners Boschma and Munroe returned late affirmative votes.

### ORIGINAL REFERENCES

The following are the original references for names placed on the Official List and Index by the Ruling given in the present Opinion:

*sclerotica*, *Elaphe*, Smith, 1941, *Copeia* **1941** : 135–136

*subocularis*, *Coluber*, Brown, 1901, *Proc. Acad. nat. Sci. Philad.* **1901** : 492

## CERTIFICATE

We certify that the votes cast on Voting Paper (65)5 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 745.

G. OWEN EVANS
*Secretary*

W. E. CHINA
*Assistant Secretary*

*International Commission on Zoological Nomenclature*
*London*
25 *May* 1965